

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

NOV 16 2011

JULIA S. DODLEY, CLERK  
BY: *[Signature]*  
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UNITED STATES OF AMERICA )  
                                )  
                                ) Criminal Action No. 7:08CR00050  
                                )  
                                ) Civil Action No. 7:11CV80347  
v. )  
                                )  
                                )  
GEORGE MOIR HYLTON, JR., )  
                                )  
                                ) By: Hon. Glen E. Conrad  
                                ) Chief United States District Judge  
Defendant.                 )

For the reasons stated in the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The government's motion to dismiss shall be and hereby is **GRANTED**;
2. The defendant's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court; and
3. A certificate of appealability shall be and hereby is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

ENTER: This 16<sup>th</sup> day of November, 2011.

*Glen Conrad*

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Chief United States District Judge